

bottle label) "For the prevention and treatment of Pyorrhea and Trench Mouth * * * prophylactic and preventive; * * * Pyorrhea, Trench Mouth, Tender Bleeding and Receding Gums. * * * Tonsillitis or Sore Throat. * * * Sore Mouth before * * * extraction. * * * For Pyorrhea, Trench Mouth, Bleeding and Receding Gums in conjunction with Bafaline Lotion. Bafaline Dental Powder * * * Bafaline Users * * * are protected from contagious diseases and bodily ills;" (Bafaline lotion, small circular) "For * * * Tonsillitis, Sore Mouth, Sore Throat;" (large circular) "Prescribed by Dentists as a Home Treatment for Bleeding Gums, Pyorrhea and Trench Mouth * * * Prevents Infection. A Prophylactic * * * Mouth and Tooth Wash * * * Pyorrhea * * * To prevent reinfection, rinse the mouth three times daily with Bafaline Lotion, preferably after brushing the teeth. * * * for the prevention of wound infections, such as blood poisoning. * * * it sterilizes the mouth in $\frac{1}{4}$ of a minute. * * * Prevent contagious diseases, use 'Bafaline' daily as a mouth wash, gargle or spray. * * * During Epidemics Guard the throat, gargle or spray daily with 'Bafaline Lotion;'" (Bafaline dental cream, carton) "Checks acid fermentation which is the cause of tooth decay, bleeding gums and pyorrhea;" (Bafaline dental powder, circular) "Highly recommended in the Prevention and Treatment of * * * Pyorrhea, Hypertrophy, Spongy and Bleeding Gums * * * Prevents and Checks Pyorrhea, * * * it stimulates a normal flow of alkaline saliva * * * the chief cause of tooth decay, spongy, bleeding gums and Pyorrhea."

In addition to the above misbranding charge this department recommended that it be charged that the dental cream was adulterated in that its strength fell below the professed standard under which it was sold, since it was stated on the carton that it was antiseptic, whereas it was not; also that the lotion and dental cream were misbranded in that the following statements on the bottle label of the Bafaline lotion, "Antiseptic Germicidal * * * use with warm water in equal parts * * * use two to four tablespoonfuls to a quart of hot water," and the following statements on the carton of the Bafaline dental cream, "Possessing * * * antiseptic * * * qualities," were false and misleading.

On March 24, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18062. Adulteration and misbranding of ether. U. S. v. 38 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25857. I. S. No. 8275. S. No. 4098.)

Samples of ether from the shipment herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Ohio.

On February 4, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 38 cans of ether, remaining in the original unbroken packages at Dayton, Ohio, alleging that the article had been shipped by Merck & Co. (Inc.), from Rahway, N. J., on or about November 21, 1930, and had been transported from the State of New Jersey into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether U. S. P."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of quality and purity as determined by the tests laid down in the said pharmacopoeia, in that it contained peroxide.

Misbranding was alleged for the reason that the statement on the labels, "Ether U. S. P.," was false and misleading when applied to ether containing peroxide.

On March 21, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*